Hidalgo County Sheriff's Office Texas Public Information Act Office 711 El Cibolo Road Edinburg, TX 78541

February 8, 2019

This is a follow up to a previous request:

To Whom It May Concern:

I wanted to follow up on the following Texas Public Information Act request, copied below, and originally submitted on Oct. 10, 2018. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

Filed via MuckRock.com

E-mail (Preferred): 62203-59622077@requests.muckrock.com
Upload documents directly: https://www.muckrock.com/accounts/agency_login/hidalgo-county-sheriffs-office-5528/cellhawk-62203/?uuid-login=5506752f-0e3d-43b6-9ee0-6c999af95eaa&email=erin.thorn%40da.co.hidalgo.tx.us#agency-reply

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note): MuckRock News DEPT MR 62203 411A Highland Ave Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



January 7, 2019

Ms. Erin D. Thorn Assistant District Attorney Hidalgo County 100 East Cano Edinburg, Texas 78539

OR2019-00378

Dear Ms. Thorn:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 744856 (ORR# 2018-0161-DA.SO).

The Hidalgo County Sheriff's Office (the "sheriff's office") received a request for all documents referencing Hawk Analytics, Inc. ("Hawk") and a specified product, including any contracts, subscriptions, e-mails, training documents, and statistical reports. Although the sheriff's office takes no position regarding whether the submitted information is excepted from disclosure, you state its release may implicate the proprietary interests of Hawk. Accordingly, you state, and provide documentation showing, you notified Hawk of the request for information and of its right to submit arguments to this office. See Gov't Code § 552.305(d); see also Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information.

Initially, we note you have not submitted information responsive to the portion of the request pertaining to the contract. To the extent any information responsive to this portion of the request existed on the date the sheriff's office received the request, we assume the sheriff's office has released it. If the sheriff's office has not released any such information, it must do so at this time. See Gov't Code §§ 552.301(a), .302; see also Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

An interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) of the Government Code to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. See Gov't Code § 552.305(d)(2)(B). As of the date of this ruling, we have not received comments from Hawk explaining why the information at issue should not be released. Thus, we have no basis to conclude Hawk has a protected proprietary interest in the submitted information. See id. § 552.110; Open Records Decision Nos. 661 at 5-6 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, release of requested information would cause that party substantial competitive harm), 552 at 5 (1990) (party must establish prima facie case that information is trade secret), 542 at 3. Therefore, the sheriff's office may not withhold the submitted information on the basis of any proprietary interest Hawk may have in the information.

We note some of the information at issue may be protected by copyright. A custodian of public records must comply with the copyright law and is not required to furnish copies of records that are copyrighted. Open Records Decision No. 180 at 3 (1977). A governmental body must allow inspection of copyrighted materials unless an exception applies to the information. *Id.*; see Open Records Decision No. 109 (1975). If a member of the public wishes to make copies of copyrighted materials, the person must do so unassisted by the governmental body. In making copies, the member of the public assumes the duty of compliance with the copyright law and the risk of a copyright infringement suit. As no exceptions to disclosure are raised, the sheriff's office must release the submitted information; however, any information protected by copyright may only be released in accordance with copyright law.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for

providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

James M. Graham

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Assistant Attorney General Open Records Division

JMG/som

Ref: ID# 744856

Enc. Submitted documents

c: Requestor

(w/o enclosures)

Third Party (w/o enclosures)

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Cases: 43 Phones: 96 Records: 255,559 Quota: Unlimited

Agency: Hidalgo County (TX) Sherd's Office User: Javier vargas@hidalgoso.org

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ACCOUNT INFO

Renewal: 2019-09-23 Renewal Due In 335 days

PHONE LOOKUP

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Preservation Letter... i Search Warrant...

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FROM SUPPORT@HAWK

Celhawk training

User 22

ANNOUNCEMENTS

You Talked, We Listened - CellHawk Follow On Update Posted October 8, 2018 by nicoe@namkanatytes com

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Hawk Analytics at IACPI

Posted October 8, 2018 by nicole@narriearaynas com

Come out and visit the Hawk Booth at the International Association of Chiets of Picice for the 125th Contentine and Exposition in Orianno, FL. Outside 59, 2018) we book forward to seeling you there! https://www.theatcpconference.org/ READ MORE Conference and Exposition in Orian

Posted October 8, 2018 by nictre@nativitanalytics com Dallas and Norwalk Trainings Almost Full!

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CELLULAR TECHNOLOGY IN THE NEWS

Sheriff's investigator's testimony highlights large bank transactions by

Posted October 11, 2018 by nicote@nawkanalytics.com

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Mansion Murders Suspect Searched for Hideout Cities on Phone, Witness

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Presidential alert: US mobile phones get test message Posted October 8, 2018 by nicolegiharwanalytics.com

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Renewal Due in 336 days

Renewal: 2019-09-23

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PHONE LOOKUP

Agency: Hidalgo County (TX) Sheriff's Office User: javler:vargas@hidalgoso.org

Create New Case

CHANGE PASSWORD

ACCOUNT INFO

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Search Warrant...

Preservation Letter...

FROM SUPPORT@HAWK

ANNOUNCEMENTS

You Talked, We Listened - CeliHawk Follow On Update Posted October 8, 2018 by nicole@herthanalyrics.com

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Hawk Analytics at IACP!

Posted October 8, 2018 by nicole@narwanalytics.com

Come cut and yet the Hawk Booth at the International Association of Chile's of Potice for the 125th Contenence and Exposition in Ontanoo, FL. October 15-8, 20181 We look forward to seeing you there! https://www.theiacpconference.org/ BEAD MORE

Dallas and Norwalk Trainings Almost Full Posted October 8, 2018 by nicole@havkanatytos com

Our two upcoming classes an aircust hall if you were counting on registering for our greater Dallas, TX area or Norwalk, CA training do it quick before all sports are gone! Less than 10 seats left in each! To recision the same visit our many training pens have the are unriving the both with man training in

CELLULAR TECHNOLOGY IN THE NEWS

Sheriff's investigator's testimony highlights large bank transactions by

Posted October 11, 2018 by nicole@navwartalytics.com • Nivere 2 a 11

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Mansion Murders Suspect Searched for Hideout Cities on Phone, Witness

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Presidential alert. US mobile phones get test message Posted October 8, 2018 oy noote@havkaralyfos com

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PHONE LOOKUP

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FROM SUPPORT@HAWK

ANNOUNCEMENTS

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Hawk Analytics at IACP!

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Come out and visit the H3wh Booth at the interhational Association of Chiefs of Pober for the 125th Conference and Expossion in Orising. FL. October 6-9, 2018 tive book forward to seeing you there! https://www.thesepconference.brg/ READ MORE

Posted October 8, 2018 by nicole@nawkanalylics.com Dallas and Norwalk Trainings Almost Full!

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CELLULAR TECHNOLOGY IN THE NEWS

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Mansion Murders Suspect Searched for Hideout Cities on Phone, Witness Testiffes Posted October 11, 2018 by neotrophawkanalytes com

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Presidential alert. US mobile phones get test message Posted October 8, 20:8 by move@havkanayves com

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Agency: Hidalgo County (TX) Sheriff's Office User: javier.vargas@hidalgoso.org

CHANGE PASSWORD

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Renewal Due in 336 days

Renewal: 2019-09-23

Cases: 43 Phones: 96 Records: 255,559 Quota: Unlimited

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PHONE LOOKUP

Search Warrant...

Preservation Letter...

CELLULAR TECHNOLOGY IN THE NEWS

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FROM SUPPORT@HAWK

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Come out and ust the Hawk Bosch at the International Association of Cheks of Potce for the 125th Conference and Exposition in Chando, PL. October 6-9, 2014 We look forward to seeling you thene! https://www.theks.comference.org/ READ MORE.

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Presidential alert. US mobile phones get test message Posted October 8, 2018 by nicole@hawkanayiics com

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Dallas and Norwalk Trainings Almost Fulli Posted October 8, 2018 by nicole@newtenerpos.com

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Renewal: 2019-09-23 Renewal Due in 335 days Preservation Letter... 1 Search Warrant... ලි ර * Why do I regive an AT&T mobility specifies a landline specific one latest sumber in my source? Agency: Hidalgo County (TX) Sheriff's Office User: jawler.vargas@hidalgoso.org My Social records were provided totally in UTC. Now go I change the time zone? How do I uplease my cell site list that I downloaded from NDCAC into Celthawk? PHONE LOOKUP ACCOUNT INFO Lhave uploaded my GPS file, why are no points are showing on the mood CHANGE PASSANDRO Why is my Cellebrite extraction spreadsheet not being accepted? Cases: 43 Phones: 96 Records: 255,559 Quota: Unlimited Why is my AT&T NELOS renort manoing in disparate locations? FAOS Why is My L-Mobile Fite Magning in a Straight Line? How Do I Bufit Upload Ackinesses Into Cell Hawk? Why is My Verizon VolTE File Not Londing? What are Goodle locations device ID's? How Do I Interpret my Verizon Return? Will Collisavit Adlust for Time Zone? 7 6 7 ار ار از Much of the weekslong blonca Mekssa Patheson Indi has thus far focused heavily on his theit and prospipication of a fluckay, charges see Laxis and less on the more senture allegation of capital muider. Thursday was not the exception. Testmony from Middleyo Courtly Sheniff's Office investigator Adam. Mansion Murders Suspect Searched for Hideout Cities on Phone, Witness In the days lidecomp the murcle of three members of a D C Samly and their housekiesper, the man extensed of community the former searched for countries with the extradition treates and instead class for Appliess on the relibrorie, an except wiverse keptined Tuesday Carron With is croadyed with murcles in the dashs of Servers Servedoules, 46: READ, MIGRE Sheriff's investigator's testimony highlights large bank transactions by 2015-06-22 08:18:47 PM 2015-06-16 08:19:36 PH 2015-06-15 04:45:06 PH Create New Case CELLULAR TECHNOLOGY IN THE NEWS Presidential alert. US mobile phones get test message Posied October 8, 2018 by noove@hawfanalydics com Posted October 11, 2018 by necoleginawanalytes.com Posted October 11, 2018 by n.cole@nawkanalytics.com View 41 - 43 of 43 Paimer, who was called to the stand to detail READ MORE 9 H Page 5 👯 daps 🔘 ildaai Web Chert 📋 Tdad Employaa Po- 📗 Ceb Hawk 🚻 CLEAR 🙆 LEEP Login Hoak Anatyins Inc. has pushed out an update ower the weekend based on user feedback on our huge Ping Losbert re-vamp release two weeks ago. The latest release includes. New Color Palette – choose from more colors to daplyly your enalysis klubble Ping Alerts – aplity to set multiple alerts for a ping Out two upscoring classes are amost tout if you were obtaining on registering for our greater Dalbas. TX area or Norwalls, CA training do it quick balone as spors are gone! Less than 10 seats lieft in each! To respect to white classes, well not trained than the white classes, well not trained than the white classes, well not trained than the white classes well not trained to the white classes well not trained to the classes. Come out and visit the Hawk Booth at the International Association of Chiefs of Police for the 125th Conference and Exposition in Orianos, FL, October 6-9, 2018) We look forward to sweing you triefel You Talked, We Listaned – CeliHawk Follow On Update Posted October 8, 2018 by псое@панкала/уысs сот ANNOUNCEMENTS Dallas and Norwalk Trainings Almost Full! Posted October 8, 2018 by neode@navkanalytics.com Posted October 8, 2015 by nicole@navikanalytics com Sergio Salazar FROM SUPPORT@HAWK X (dev.Tab https://www.theractocontenenca.org/ READ MORE ← -- G B https://hawkanalytics.com ğ ş CASE MANAGER Hawk Analytics at IACP! Istener at a time READ MORE Case Number CeliHawk 14-36067 15-03444 15-15270

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10/22/2018 CellHawk

From: "Tim Smith" <tim@hawkanalytics.com>

To: "javier.vargas@hidalgoso.org" <javier.vargas@hidalgoso.org>

Subject: CellHawk

Date: 7/25/2018 2:36:55 PM

Hello Javier

I hope you are doing well. I just wanted to remind you that your Cellhawk account is up for renewal in approximately 60 days (9/23/18). I also wanted to confirm that you received the invoice I sent you. Thank you

Best Regards,

Tim Smith, DEA (ret)
Hawk Analytics, Inc. | CellHawk
Customer Success Team
(469) 373-HAWK (4295) ext 704 (PST)
hawkanalytics.com

<u>REGISTER NOW</u> to receive access to Support@Hawk – a <u>FREE</u> resource for anyone in law enforcement who works with cell phone Call Detail Records (CDRs). Get access to a Free Phone Look-up Tool, Legal Process Templates, Reference Library, Carrier Information, News & Events, Investigations Resources, CellHawk Support, and much more...

10/22/2018 CellHawk

From: "Tim Smith" <tim@hawkanalytics.com>

To: "javier.vargas@hidalgoso.org" <javier.vargas@hidalgoso.org>

Subject: CellHawk

Date: 6/26/2018 4:09:11 PM

Hello Javier

Hope you are doing good and all continues to go well with CellHawk. Your account is coming up for renewal in approximately 90 days (9/24/18) and I would like to begin the renewal process to avoid any interruption in service. I have attached an invoice for your convenience. Please let me know if you have any questions.

Best Regards,

Tim Smith, DEA (ret)
Hawk Analytics, Inc. | CellHawk
Customer Success Team
(469) 373-HAWK (4295) ext 704 (PST)
hawkanalytics.com

<u>REGISTER NOW</u> to receive access to Support@Hawk – a <u>FREE</u> resource for anyone in law enforcement who works with cell phone Call Detail Records (CDRs). Get access to a Free Phone Look-up Tool, Legal Process Templates, Reference Library, Carrier Information, News & Events, Investigations Resources, CellHawk Support, and much more...

10/22/2018 CellHawk

From: "Tim Smith" <tim@hawkanalytics.com>

To: "javier.vargas@hidalgoso.org" <javier.vargas@hidalgoso.org>

Subject: CellHawk

Date: 3/23/2018 10:02:40 AM

Hello Javier

My name is Tim Smith and I am the Director of Customer Success at CellHawk. I am trying to make sure all is well with your CellHawk experience and inquire if your department would be interested in some refresher training. Please let me know if I can assist you.

Best Regards,

Tim Smith, DEA (ret)
Hawk Analytics, Inc. | CellHawk
Customer Success Team
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From: "Nicole Poser" <mailer@scheduleonce.com>
To: "javier.vargas" <javier.vargas@hidalgoso.org>

Subject: Booking confirmed: CellHawk Training Webinar

Date: 1/30/2018 11:35:54 AM

Your booking is confirmed

Dear Javier Vargas,

Your booking is confirmed. See below for more information. If the event is not already in your calendar, please use the calendar links provided below to add it.



Booking details

Event type

CellHawk Training Webinar

Time

Fri, Feb 9, 2018, 10:00am - 11:00am United States; Central time (GMT-6:00) Cancel/Reschedule

Training Webinar Info

https://www.gotomeet.me/NPoser

Tracking ID

468800FA



Calendar event

If the event is not already in your calendar, you may add it from here:

Add to Outlook Calendar

Add to Google Calendar

Add to Apple Calendar

Mobile and other calendars



Your information

Full Name (first and last)

Javier Vargas

Organization

Hidalgo County Sheriffs Office

Organization State

Texas

From: "Support Team" < support@hawkanalytics.com>

To: javier.vargas@hidalgoso.org

Subject: Important Fix - CellHawk Update for Sprint CDRs

Date: 12/28/2017 3:23:32 PM

*** You are receiving this IMPORTANT email again since our records show you did not open the initial email sent a couple weeks ago ***

Earlier this month, *CellHawk* was updated to process Sprint text message time zones that are in GMT. A few weeks ago, we became aware that beginning in June 2017, Sprint may provide text message time stamps in GMT if the referenced NEID is in the 540-559 range.

We encourage all users to review Sprint records uploaded since June of 2017, as the time zone conversion for the text message may contain an incorrect conversion if the above NEID's were referenced. Reloading the records will alleviate any miscalculation.

This update was brought to our attention by a *CellHawk* user. We encourage our users to email <u>support@hawkanalytics.com</u> anytime you become aware of a new file format.

Please contact us with any questions.

Nicole Poser
Hawk Analytics, Inc. | CellHawk
Director of Customer Success
O (469) 373-HAWK (4295) - ext 702 (CST)
HawkAnalytics.com

This email was sent to javier.vargas@hidalgoso.org

why did I get this? unsubscribe from this list update subscription preferences

Hawk Analytics · 2652 FM 407 · Suite 215-E · Bartonville, TX 76226 · USA

From: "Support Team" <support@hawkanalytics.com>

To: javier.vargas@hidalgoso.org

Subject: Important Fix - CellHawk Update for Sprint CDRs

Date: 12/18/2017 1:26:23 PM

Last week *CellHawk* was updated to process Sprint text message time zones that are in GMT. Early last week we became aware that beginning in June 2017, Sprint may provide text message time stamps in GMT if the referenced NEID is in the 540-559 range.

We encourage all users to review Sprint records uploaded since June of 2017, as the time zone conversion for the text message may contain an incorrect conversion if the above NEID's were referenced. Reloading the records will alleviate any miscalculation.

This update was brought to our attention by a *CellHawk* user. We encourage our users to email <u>support@hawkanalytics.com</u> anytime you become aware of a new file format.

Please contact us with any questions.

Nicole Poser
Hawk Analytics, Inc. | CellHawk
Director of Customer Success
O (469) 373-HAWK (4295) - ext 702 (CST)
HawkAnalytics.com

This email was sent to javier.vargas@hidalgoso.org

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